

AF JFW
1636

PATENT
Attorney Docket 044921-5055-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Patricia D. Murphy et al.**)
Application No. **09/734,672**) Group Art Unit: **1636**
Filed: **December 13, 2000**) Examiner: **Sumesh Kaushal**
For: **Coding Sequences of the Human BRCA1 Gene**)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

TRANSMITTAL

- Transmitted herewith is an Amendment Under 37 C.F.R. 1.116 in response to the Final Office Action dated March 9, 2004.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16)

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	18	minus	30	0	\$18 each=	0.00
Independent Claims	2	minus	3	5	\$86 each=	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$0.00

- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This

paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Date: **June 4, 2004**

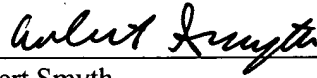
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Respectfully submitted,
Morgan, Lewis & Bockius LLP

A handwritten signature in cursive script, appearing to read "Robert Smyth", is written over a horizontal line.

Robert Smyth

Registration No. 50,801



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Group Art Unit: **1636**

Examiner: **Sumesh Kaushal**

AMENDMENT UNDER 37 C.F.R. 1.116

In response to the Final Office Action dated March 9, 2004, please amend the application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.